

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)

SINGLE BILLING SERVICES, INC.,)
dba ASIAN AMERICAN ASSOCIATION)

DOCKET NO. 01-0184

For Authority to Transfer Control)
of SINGLE BILLING SERVICES, INC.,)
dba ASIAN AMERICAN ASSOCIATION to)
EAAA, INC.)

DECISION AND ORDER NO. 19097

Filed Dec. 5, 2001

At 10:30 o'clock A.M.

Karen Higashi

Chief Clerk of the Commission

ATTEST: A True Copy
KAREN HIGASHI
Chief Clerk, Public Utilities
Commission, State of Hawaii.

K. Higashi

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EAAA, INC.)

Docket No. 01-0184
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DECISION AND ORDER

I.

By an application filed on May 31, 2001, SINGLE BILLING SERVICES, INC., dba ASIAN AMERICAN ASSOCIATION (SBS or Applicant) requests commission approval of the transfer of control of SBS from its current shareholder, New Global Telecom, Inc. (NGT) to EAAA, Inc. (EAAA) through a stock sale.

A copy of the application was served on the Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs (Consumer Advocate). On November 2, 2001, the Consumer Advocate filed its Statement of Position informing the commission that it does not object to the approval of the application, with a reservation.

II.

SBS is a Delaware corporation. It is currently authorized to provide intrastate telecommunication services in

the State of Hawaii (State)¹ and provides interexchange services in 43 other states on a resale basis. EAAA is also a Delaware corporation.

On April 18, 2001, EAAA and NGT entered into a Stock Purchase Agreement (Agreement). Under the Agreement, EAAA will acquire 100 per cent of the issued and outstanding capital stock of SBS. Applicant states that EAAA is financially qualified to acquire control of SBS. Upon completion of the transfer, Applicant contends that it will continue to operate as it had prior to the transfer. Applicant represents that the transfer of ownership will be transparent to its Hawaii customers and that the transaction will not adversely affect them. Furthermore, Applicant states that the transfer of control from NGT to EAAA will be in the public interest since, among other things, SBS will have access to the financial resources it needs to introduce new products and service options to benefit its Hawaii customers. Additionally, it states that in time, its Hawaii customers will also benefit through lower prices.

III.

Hawaii Revised Statutes (HRS) § 269-7(a) provides the commission with the power to examine, among other things, the condition of each public utility; the manner in which the utility is operated with reference to the safety or accommodation of the public; the amount and disposition of its income and all of its financial transactions; and the utility's business relations with

¹See Decision and Order No. 17389, filed on November 26, 1999, in Docket No. 99-0210.

other persons, companies, or corporations. The provisions of HRS § 269-7(a) are broad and, in essence, vest the commission with the authority to examine all transactions that affect or may affect the public whom the utility serves. We find that commission approval of the transaction described in the instant application falls under the purview of HRS § 269-7(a).

Upon review, we find the transaction described in this docket to be reasonable and in the public interest. Applicant provides competitive services and is not a dominant provider of telecommunications services in the State. SBS represents that the proposed transfer of control will be transparent to its Hawaii customers and that these customers will not be adversely impacted. The Consumer Advocate, while noting a concern, does not object to the approval of the instant application.

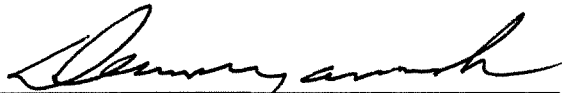
Based on the above, we conclude that the transaction described in the instant docket should be approved.

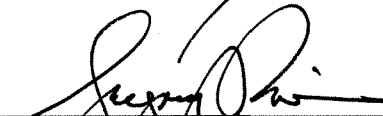
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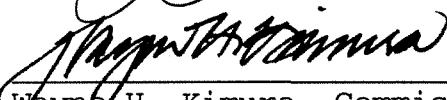
THE COMMISSION ORDERS that the transfer of control described in the application filed on May 31, 2001, in this docket, is approved.

DONE at Honolulu, Hawaii the 5th day of December, 2001.

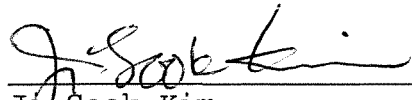
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Dennis R. Yamada, Chairman

By 
Gregory G. V. Pai, Commissioner

By 
Wayne H. Kimura, Commissioner

APPROVED AS TO FORM:


Ji Sook Kim
Commission Counsel

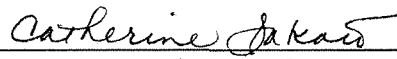
01-0184.eh

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 19097 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
DIVISION OF CONSUMER ADVOCACY
P. O. Box 541
Honolulu, HI 96809

PATRICK D. CROCKER
EARLY, LENNON, CROCKER & BARTOSIEWICZ, P.L.C.
900 Comerica Building
Kalamazoo, MI 49007



Catherine Sakato

DATED: December 5, 2001